IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.12788 of 1999

Between:

Kushima Lumanaires Rep. by its Manager
928, R.V.R.Villa, Sriramnagar Colony,
Masab Tank, Hyderabad

..... PETITIONER

AND

1 Govt. of Andhra Pradesh Rep. by its Secretary (Projects)
Secretariat, Hyderabad
2 The Commissioner Karimnagar Municipality
Karimnagar

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order, direction or writ particularly one in the nature of Mandamus declaring that the tender notice No.E1/6006/1/1999-2000 dated 15-6-1999 and finalisation of tender on 23-6-1999 in respect of Electrical material for major roads and highways is arbitrary, illegal and bad in law and consequently direct the 2nd respondent to comply with G.O.Ms.No.23 dated 5-3-1999 and G.O.Ms.No.132 dated 11-8-1998.

Counsel for the Petitioner: MR. KOKA SATYANARAYANA RAO

Counsel for the Respondent No.1: GP FOR ROADS & BUILDINGS

Counsel for the Respondent No.2: SRI POLISETTY RADHA KRISHNA (SC FOR MUNICIPALITY)

The Court made the following:

ORDER:

This writ petition is filed seeking a Mandamus declaring the Tender Notice No.E1/6006/2/1999-2000, dated 15.06.1999 calling for tenders in respect of electrical material for major Roads and Highways in contravention of orders issued in G.O.Ms.No.132, dated 11.08.1998 and G.O.Ms.No.23, dated 05.03.1999 is illegal and arbitrary.

When the matter is taken up today for hearing, none appears for the petitioner. Learned Government Pleader for Roads and Buildings, on instructions, submitted that the tenders for all the works notified in the Tender Notice No. E1/6006/2/99, dated 15.06.1999 have been received on 22.06.1999 at 1.00 PM itself, the tenders of the qualified bidders were opened, and work orders were issued to the lowest tenderers on 26.06.1999, and therefore, the cause in the writ petition does not survive and it has become infructuous.

Recording the said submission, the writ petition is dismissed as having become infructuous. No costs.

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N.V. RAMANA, J.

Date: 17.06.2005

Nsr

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary (Projects), Govt. of Andhra Pradesh
Secretariat, Hyderabad
2 The Commissioner, Karimnagar Municipality
Karimnagar

3 Two CCs to GP for Roads and Buildings, High Court Buildings,

Hyderabad (OUT)

4 2 CD copies

2) 1 CC to MR.POLISETTI RADHAKRISHNA (SC FOR MPL)